IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8966 of 2005

Between:

M/s. Hyndavi Cold Storage private Limited, a company incorporated under provisions of the Companies Act 1956, having its registreered office ituated at 11-23-2162, Ganesh Nagar, Desaipet Road, Warangal, rep. by its Directior
Sri S. Kishan Rao, S/o. Keshaiah, aged about 50 years, Occ: Business,r/o. Ganesh Nagar, Desaipet Road, Warangal.

..... PETITIONER

AND

1 Principal Secretary to Government & CIP, Government of Andhra Pradesh, Secretarit Buildings, Hyderabad.
2 Government of Andhra Pradesh, rep. by its Secretary, Industries and Commerce Department,
Secretariat Buildings, Hyderabad.
3 Government of Andhra Pradesh, rep. by its Commissioner of Industries, Hyderabad.
4 Government of Andhra Pradesh, Department of Industries,
Rep. by its General manager, District Industries Centre, Industrial Estate, Warangal.
5 Northern Power Distribution Company of Andhra Pradesh Limited, Warangal, Rep. by its Assistant Accounts Officer.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate Writ, Order or direction preferably a Writ in the nature of Mandamus, declaring the action of the respondents in not implementing the G.O.Ms.No. 333 Industries & Commerce (C EP) Department dated 14/11/2003 and G.O.ms.No. 55 Industries & Commerce (C&EP)I Department dated 5/3/2004 by giving the benefits mentioned therein to the Petitioner Company's unit situated in Sy.No. 152, Enumamula, Hanamkonda, Warangal, as illegal, arbitrary and violative of Article 14 of the Constitution of India and consequently direct the respondents to forthwith implement the said Governmental Orders by giving the benefits stated in

the said Governmental Orders to the Petitioner company's unit pending disposal of the above Writ Petition.

Counsel for the Petitioner: MR.P.VENUGOPAL

Counsel for the Respondent Nos. 1 to 4: GP FOR INDUSTRIES & COMMERCE

This Court at the admission stage made the following:

O R D E R:

This writ petition is filed seeking to declare the alleged action of the respondents in not implementing G.O.Ms.No.333 Industries & Commerce (C&EP) Department dated 14-11-2003 and G.O.Ms.No.55 Industries & Commerce (C & EP) Department dated 05-03-2004 by extending benefits mentioned therein to the petitioner-Company's unit situated in Survey No.152, Enumamula, Hanamkonda, Warangal, as arbitrary and illegal.

Heard the learned counsel for the petitioner and the learned Government Pleader for Industries and Commerce appearing for the respondents.

Having regard to the facts and circumstances of the case, without expressing any opinion on merits, the writ petition is disposed of granting liberty to the petitioner to make a proper application seeking to extend the benefits under G.O.Ms.No.333 Industries & Commerce (C&EP) Department dated 14-11-2003 and G.O.Ms.No.55 Industries & Commerce (C & EP) Department dated 05-03-2004. If any such application is made by the petitioner, the respondents are directed to consider the same and pass appropriate orders, in accordance with law, within a period of four weeks from the date of receipt of such application. No costs.

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(G.ROHINI, J)

Date: 21-04-2005

Note: Issue CC by Monday.

B/o

ghn

To

1 Principal Secretary to Government & CIP, Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Secretary, Government of Andhra Pradesh, Industries and Commerce Department, Secretariat Buildings, Hyderabad.
3 The Commissioner of Industries, Government of Andhra Pradesh, Hyderabad.
4 The General Manager, Government of Andhra Pradesh, Department of Industries, District Industries Centre, Industrial Estate, Warangal.
5 The Assistant Accounts Officer, Northern Power Distribution Company of Andhra Pradesh Limited, Warangal.

6 Two CCs to the Government Pleader for Industries and Commerce, High Court of A.P., Hyderabad. (O.U.T.)

7 Two CD copies.